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DIV. OF OIL, GAS & MINING

m/003/020

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January 17, 2005

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Mr. David H. Murphy  
Assistant Field Manager - Nonrenewable Resources  
Bureau of Land Management  
2370 South 2300 West  
Salt Lake City, Utah 84119

**Re: Northern Stone Supply, Inc. - Plan of Operations (U-77816)**

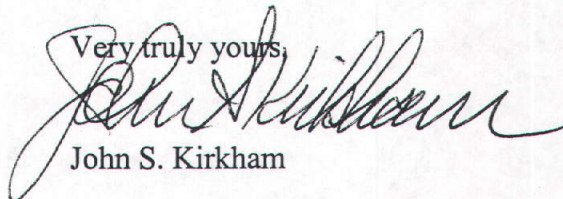
Dear David:

I am in receipt of a copy of your letter dated January 11, 2005 addressed to our client, Mr. Gary Mullard, Northern Stone Supply, Inc. In your letter you indicate that you have made the decision that the materials recently submitted by Mr. Mullard "will be considered a new Plan and not a modification." While I'm not sure of all of the ramifications of this decision, I am writing to inquire as to the basis for your decision to consider this a new plan. I have reviewed the regulations at 43 CFR 3809.430 et seq., and I find nothing to support the decision to characterize the submission by Northern Stone Supply, Inc. as a new plan. As I read the regulations, since Northern Stone Supply has an existing approved Plan of Operations, the only option I find under the regulations is to characterize the submission as a plan modification.

I would appreciate any insight you might be able to provide regarding the basis of your decision.

Thank you for your assistance in this matter.

Very truly yours,



John S. Kirkham

JSK:jse

cc: Gary Mullard  
Val Sawyer, SRK  
Lynn Kunzler, UDOGM  
Jared Bennett, Esq.

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